286 ( Okt. 2271/73709 ) (1)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Manabu NISHIMURA et al.

Serial No.: 10/521,055

Date Filed: January 12, 2005 Examiner: Shelby Fidler

For: ELECTROSTATIC ACTUATOR FORMED BY A SEMICONDUCTOR

MANUFACTURING PROCESS

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Alexandria, VA 22313-1450.

Fair Lung September 10, 200 Paul Teng Reg. No. 40,837 1185 Avenue of the Americas New York, N.Y. 10036 (212) 278-0400

Group Art Unit: 2861

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## **INFORMATION DISCLOSURE STATEMENT**

In order to ensure compliance with the applicant's duty of disclosure under 37 C.F.R. §1.56 and §1.97(a)-(d), Applicant hereby submits this Information Disclosure Statement.

This Information Disclosure Statement is being filed pursuant to 37 C.F.R. §1.97(c)(1). The references listed in the annexed Form PTO-1449 were cited in an August 23, 2007 official action in connection with a counterpart Japanese patent application. A copy of the August 23, 2007 Japanese official action is also enclosed herwith. Each reference listed in the Form PTO-1449 annexed to this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

It is respectfully requested that the information cited in the annexed Form PTO-1449 be considered by the Examiner in connection with the above-identified patent application, and that such art be made of record in said application.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that these items are prior art. The items listed are

submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of the particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this Information Disclosure Statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

According to the August 5, 2003 OG Notice published by the Patent and Trademark Office, the Office has waived the requirement under 37 C.F.R. §1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each cited U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international application that have entered the national stage under 35 U.S.C. §371 after June 30, 2003.

Accordingly, copies are submitted herewith for only references listed on the annexed Form PTO-1449 that are not a U.S. patent or U.S. patent application publication.

The Patent Office is hereby authorized to charge any fees that are required for consideration of this Information Disclosure Statement and to credit any overpayment to our Deposit Account No. 03-3125.

Respectfully submitted,

Paul Teng, Reg. No 40,83 Attorney for Applicant Cooper & Dunham LLP

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## U.S. Department of Commerce Patent and Trademark Office

Atty. Docket No. Serial No. 2271/73709 10/521,055

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)											Applicant: Manabu NISHIMURA et al.			
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\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.